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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,845	04/08/2002	Ann Progulske-Fox	00-505-B	3701
20306 7590 02/26/2010 MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP 300 S. WACKER DRIVE 32ND FLOOR CHICAGO, IL 60606				
EXAMINER STEELE, AMBER D				
ART UNIT		PAPER NUMBER		
1639				
MAIL DATE		DELIVERY MODE		
02/26/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO. 09980845	FILING DATE 4/8/2002	FIRST NAMED INVENTOR PROGULSKE-FOX ET AL.	ATTORNEY DOCKET NO. 00-505-B
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EXAMINER

AMBER D. STEELE

ART UNIT	PAPER
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20100223

DATE MAILED:

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Commissioner for Patents

The reply filed on December 4, 2009 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): applicants have not elected a single, specific species. Applicants requested clarification regarding the species requirement. First, it is noted that polynucleotide, vaccine target, and diagnostic target (see claims 1, 18, and 19) do not appear only in the preamble but also in the body of the claims although it is currently unclear if the final wherein clause is an actual method step or not (applicants may wish to amend the claims to prevent future 112, second paragraph issues). Second, polynucleotide, vaccine target, and diagnostic target are subgenuses and not single, specific species. Applicants may need to look to the specification for a single, specific species of what is isolated (i.e. final product of the presently claimed methods).

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amber D. Steele whose telephone number is 571-272-5538. The examiner can normally be reached on Monday through Friday 9:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Low can be reached on 571-272-0951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amber D. Steele/
Primary Examiner, Art Unit
1639